

0857-d

Instrument Control Number

[Empty box for Instrument Control Number]

BOOK 0810 PAGE 0716

Commonwealth of Virginia
Land Record Instruments
Cover Sheet - Form A

[ILS VLR Cover Sheet Agent 1.0.66]

T
A
X

E
X
E
M
P
T

C
O
R
P

X

[]

Date of Instrument: [10/28/16]

Instrument Type: [ODAR]

Number of Parcels [1]

Number of Pages [11]

City [] County [X] [Russell County] (Box for Deed Stamp Only)

First and Second Grantors

Last Name	First Name	Middle Name or Initial	Suffix
[Virginia Gas & Oil Board]	[]	[]	[]
[]	[]	[]	[]

First and Second Grantees

Last Name	First Name	Middle Name or Initial	Suffix
[X] [B. W. Strass Heirs]	[]	[]	[]
[X] [Buckhorn Coal Company]	[]	[]	[]

Grantee Address (Name) [CNX Gas Company, LLC]
 (Address 1) [1000 Consol Energy Drive]
 (Address 2) []
 (City, State, Zip) [Cannonsburg] [PA] [15317-6506]

Consideration [0.00] Existing Debt [0.00] Assumption Balance [0.00]

Prior Instr. Recorded at: City [] County [X] [Russell County] Percent. in this Juris. [100]
Book [532] Page [325] Instr. No []

Parcel Identification No (PIN) []
 Tax Map Num. (if different than PIN) []
 Short Property Description [Report of the Board]
 Current Property Address (Address 1) []
 (Address 2) []
 (City, State, Zip) [] [] []

Instrument Prepared by [Virginia Gas & Oil Board]
 Recording Paid for by [DMME]
 Return Recording to (Name) [DMME - Division of Gas & Oil]
 (Address 1) [P. O. Drawer 159]
 (Address 2) []
 (City, State, Zip) [Lebanon] [VA] [24266]
 Customer Case ID [] [] []



Instrument Control Number

[Empty box for Instrument Control Number]

BOOK 0810 PAGE 0717

Commonwealth of Virginia
Land Record Instruments
Continuation Cover Sheet
Form B

[ILS VLR Cover Sheet Agent 1.0.66]

TAX GRANTOR GRANTEE CORP EXEMPT

Date of Instrument: [10/28/16]

Instrument Type: [ODAR]

Number of Parcels [1]

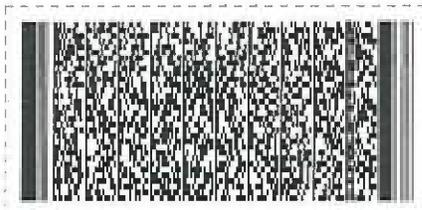
Number of Pages [11]

City [] County [x] [Russell County] (Box for Deed Stamp Only)

Grantors/Grantees/Parcel Continuation Form B

Table with 4 columns: Last Name, First Name, Middle Name or Initial, Suffix. Rows include S. J. and Susan E. Cor, Keene, Perkins, CNX Gas Company, LLC, etc.

Prior Instr. Recorded at: City [] County [] [] Percent. in this Juris. []
Book [] Page [] Instr. No []
Parcel Identification No (PIN) []
Tax Map Num. (if different than PIN) []
Short Property Description []
Current Property Address (Address 1) []
(Address 2) []
(City, State, Zip) [] [] []





BEFORE THE VIRGINIA GAS AND OIL BOARD

RELIEF SOUGHT: An Order for Disbursement of Escrowed Funds (and Authorization for Direct Payment of Royalties)

JURISDICTION: Code of Virginia § 45.1-351. (et seq) AND § 45.1-361.22 (et seq) AND § 45.1-361.22:2

UNIT/WELL NAME: AW113

TRACT(S): 1

LOCATION: RUSSELL County, Virginia

DOCKET NUMBER: VGOB-01-01116-0857-01

APPLICANTS: CNX Gas Company LLC on behalf of H.C. Bostic Coal Company, Inc.

HEARING DATE AND LOCATION: Russell County Government Center, Lebanon, Virginia
October 25, 2016

APPEARANCES: Mark A. Swartz on behalf of CNX Gas Company LLC

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 03/02/2001, Recorded on 03/07/2001, Deed Book/Instrument No. 521, Page 503.
2. Supplemental Order Executed 07/26/2001, Recorded on 08/08/2001, Deed Book/Instrument No. 532, Page 325.

NOTICE:

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the October 25, 2016 hearing and considered whether to:

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 1 identified in the attached petition.

(2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 1 relative to the interests of the Applicants identified in the attached petition.

(3) Continue the escrow account under this docket number.

FINDINGS: Code of Virginia § 45.1-361.22 AND § 45.1-361.22:2

Applicant has certified and represented to the Board that:

a. H.C. Bostic Coal Company, Inc is entitled to 100% of the CBM royalties awarded under Case No. 16-316, Opinion dated May 4, 2016, Said decision allows the Applicant and Designated Operator to pay royalties directly to the person (s) identified in Exhibit EE annexed hereto and the annexed Table, further, specifies how said royalties are to be paid.

b. H.C. Bostic Coal Company, Inc is the gas claimants in Tract 1. As such, is entitled to 100% of the CBM royalties now in escrow and as may be hereafter payable. See Va. Code Ann. § 45.1-361.22:2.A.

c. That CNX Gas Company LLC has given the notice(s) required by § 45.1-361.22:2.A to all conflicting claimants identified in the above referenced pooling Order and any supplemental Orders pertaining thereto.

d. That none of the conflicting claimants noticed have provided, within 45 days of the notice(s) given as provided in b. above, the Board, its designated agent the Director of the Division of Gas and Oil, the Operator and/or the Applicant evidence of either an agreement regarding the escrowed funds/royalties or a proceeding regarding same.

e. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 is submitted herewith and identified as Exhibit J.

f. That an Exhibit identified as Table 1 is annexed hereto, and it specifies how the disbursement(s) is to be calculated and paid by the escrow agent.

g. That Va. Code Ann. § 45.1-361.22:2.A. further provides that the Operator shall pay such royalties as may hereafter be payable directly to the gas claimant H.C. Bostic Coal Company, Inc and not escrow same. See Exhibit EE annexed hereto.

RELIEF GRANTED:

VGOB Disbursement
Unit AW113

VGOB-01-01116-0857-01

Table 1

Tracts: 1

Item	Tract	Disbursement Table	Fractional Ownership		Net Acreage Ownership		Royalty Split		Escrowed Acres		Percent of Escrowed Funds		Adjustment Amount	
			in Tract	in Tract	in Tract	in Tract	Agreement	Disbursed	Disbursed	Disbursed	Disbursed			
		Total acreage in escrow before disbursement							27.76000					
1	1	Tract 1 (total acreage)	16.5000		16.5000		100.00%	16.5000		59.4380%				

Adjustment Comments:

1. The Escrow Agent is ordered, to within ten (10) days of receipt of this executed order, disburse funds for the unit and applicants detailed in Table 1.
2. The Escrow Agent is ordered to continue the Escrow Account for the Subject Drilling unit based on the attached Revised Exhibit E which replaces all prior Exhibit E's recorded for the Subject Drilling Unit.

CONCLUSION:

Therefore, the requested relief and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

APPEALS:

Appeals of this Order are governed by the provisions of the Code of Virginia § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated by the State Corporation Commission is a party in such action, the court shall hear such appeal de novo.

DONE AND EXECUTED this 26 day of October, 2016 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

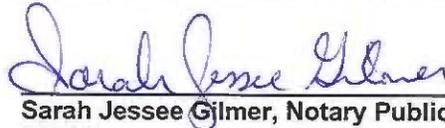
DONE AND PERFORMED this 26 day of October, 2016 by Order of the Virginia Gas and Oil Board.



Rick Cooper
Principal Executive to the
staff, Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 26th day of October, 2016, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is the Chairman of the Virginia Gas and Oil Board and appeared Rick Cooper, being duly sworn did depose and say that he is Principal Executive to the staff of the Virginia Gas and Oil Board, that they executed the same and was authorized to do so.



Sarah Jessee Gilmer, Notary Public
262946

My Commission expires: July 31, 2017



BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 01-0116-0857-01

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 1 (2) AND AUTHORIZATION FOR DIRECT PAYMENT OF ROYALTIES (3) AND DISMISSAL OF COAL OWNERS PURSUANT TO CODE OF VIRGINIA SECTION 45.1-361.22:2.

HEARING DATE: October 18, 2016

DRILLING UNIT: AW113

RUSSELL COUNTY, VIRGINIA

PETITION FOR ORDER OF DISBURSEMENT OF ESCROW FUNDS

1. Petitioner and its counsel

Petitioner is CNX Gas Company LLC, PO Box 570, Pounding Mill, VA 24637, (276)596-5075. Petitioner's counsel is Mark A. Swartz, Hillard & Swartz, LLP, 122 Capital Street, Suite 201, Charleston, WV 25301.

2. Relief Sought

(1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tract 1, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to H.C. Bostic Coal Company, Inc.; (3) Dismissal of coal owner: Buckhorn Coal Company.

3. Legal Authority

Va. Code Ann. § 45.1-361.1 et seq., 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.

4. Type of Well(s)

Coalbed Methane

5. Factual basis for relief requested

- a. H.C. Bostic Coal Company, Inc is entitled to 100% of the CBM royalties awarded under Case No. 16-316, Opinion dated May 4, 2016, Said decision allows the Applicant and Designated Operator to pay royalties directly to the person(s) identified in Exhibit EE annexed hereto and the annexed Table, further, specifies how said royalties are to be paid.
- b. H.C. Bostic Coal Company, Inc. is the gas claimants in Tract 1. As such, is entitled to 100% of the CBM royalties now in escrow and as may be hereafter payable. See Va. Code Ann. § 45.1-361.22:2.A.
- c. That CNX Gas Company LLC has given the notice(s) required by § 45.1-361.22:2.A to all conflicting claimants identified in the above referenced pooling Order and any supplemental Orders pertaining thereto.
- d. That none of the conflicting claimants noticed have provided, within 45 days of the notice(s) given as provided in b. above, the Board, its designated agent the Director of the Division of Gas and Oil, the Operator and/or the Applicant evidence of either an agreement regarding the escrowed funds/royalties or a proceeding regarding same.
- e. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 is submitted herewith and identified as Exhibit J.
- f. That an Exhibit identified as Table 1 is annexed hereto, and it specifies how the disbursement (s) is to be calculated and paid by the escrow agent.
- g. That Va. Code Ann. § 45.1-361.22:2.A. further provides that the Operator shall pay such royalties as may hereafter be payable directly to the gas claimant H.C. Bostic Coal Company, Inc and not escrow same. See Exhibit EE annexed hereto.

6. Attestation

The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED BY CONSOL INC. AND WERE NOT SURVEYED.

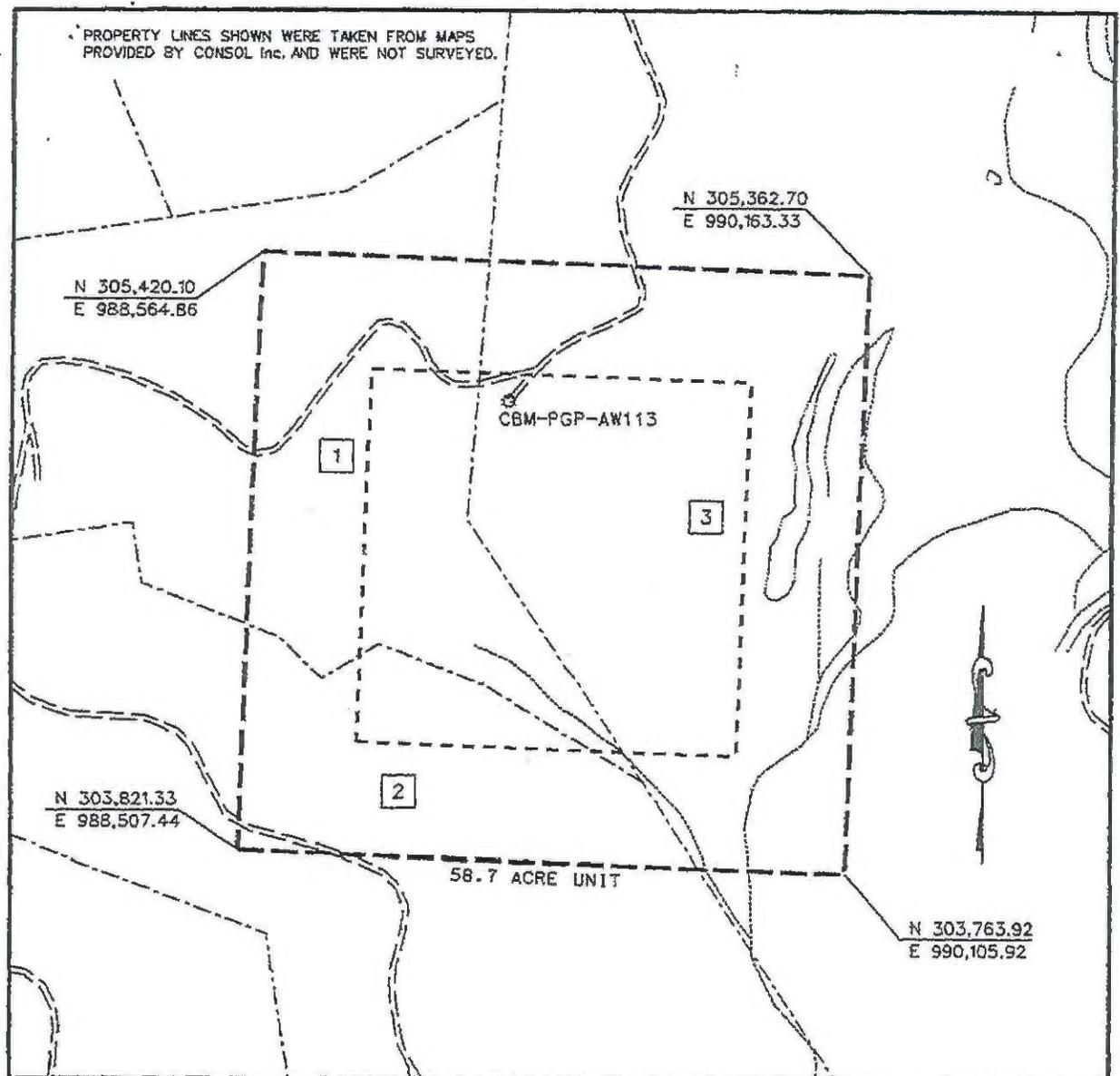
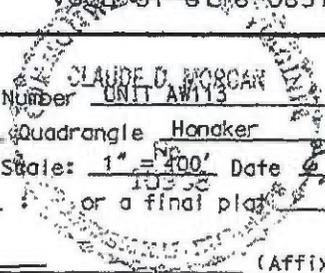


EXHIBIT A
 MIDDLE RIDGE 1 FIELD
 UNIT AW-113
 FORCE-POOLING
 VOLUME 04-816-0857

Company Pocahontas Gas Partnership Well Name and Number UNIT AW113
 Tract No. _____ Elevation _____ Quadrangle Honaker
 County Russell District New Garden Scale: 1" = 400' Date 6/26/01
 This plat is a new plat X; an updated plat _____ or a final plat _____

Form DGD-GO-7 Claude D. Morcan (Affix Seal)
 Rev. 9/91 Licensed Professional Engineer or Licensed Land Surveyor



Plat\FPOL\aw113pool.dgn 09/29/2001 01:04:13 PM

POCAHONTAS GAS PARTNERSHIP

Unit AW-113

**Tract Identifications
(58.7 Acre Unit)**

1. Buckhorn Coal Company (Corns & Fletcher Tract) - Coal
Sandy Ridge Energy Company - Above Drainage Coal Leased
Pocahontas Gas Partnership - CBM Leased
H. C. Bostic Coal Co., Inc. or Heirs, Devisees, Successors or Assigns
of B. W. Stras, et al. - Oil & Gas
H. C. Bostic Coal Co., Inc. - Surface
16.50 acres 28.1090 %

2. Buckhorn Coal Company (Corns & Fletcher Tract) - Coal
Sandy Ridge Energy Company - Above Drainage Coal Leased
Pocahontas Gas Partnership - CBM Leased
Heirs, Devisees, Successors or Assigns of B. W. Stras, et al. or Heirs, Devisees,
Successors or Assigns of S. J. Corn and Susan E. Corn or Heirs, Devisees,
Successors or Assigns of David Keene or Pocahontas Gas Partnership and Swain & Renia
Perkins or Pocahontas Gas Partnership and Dorothy Perkins - Oil & Gas
Dottie Gay Robinette Miller - Surface
11.26 acres 19.1823 %

3. Buckhorn Coal Company Tr. 7 - Fee
Consolidation Coal Company - Below Tiller Coal Leased
Pocahontas Gas Partnership - Oil, Gas & CBM Leased
30.94 acres 52.7087 %

Exhibit E
 Unit AW113
 Docket #VGOB-01-0116-0857-01
 List of Owners/Claimants that require escrow

	Acres in Unit	Interest in Unit
<u>Tract #2, 11.26 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Buckhorn Coal Company, Tract 8 (Com & Fletcher 89.50 acre tract) P. O. Box 187 Tazewell, VA 24651	11.26 acres	19.1823%
<u>OIL & GAS OWNERSHIP</u>		
<i>Title Conflict</i>		
(1) B.W. Stras, Heirs, Devisees Successors or Assigns, et al. <i>Address Unknown</i>	11.26 acres	19.1823%
<i>(OR)</i>		
(2) S. J. and Susan E. Com, Heirs, Devisees Successors or Assigns, et al. <i>Address Unknown</i>	11.26 acres	19.1823%
<i>(OR)</i>		
(3) David Keene, Heirs, Devisees Successors or Assigns, et al. <i>Address Unknown</i>	11.26 acres	19.1823%
<i>(OR)</i>		
(4) Swain Perkins, et al.	11.26 acres	19.1823%
(a) Swain Perkins 801 Long Branch Swords Creek, VA 24649	1.13 acres 1/10 of 11.26 acres	1.9182%
(b) Ricky Allen Perkins <i>Address Unknown</i>	0.14 acres 1/80 of 11.26 acres	0.2398%
(c) Terry Perkins 30 Boyd Drive Swords Creek, VA 24649	0.14 acres 1/80 of 11.26 acres	0.2398%
(d) CNX Gas Company LLC 2481 John Nash Blvd Bluefield, WV 24701	9.85 acres 7/8 of 11.26 acres	16.7845%
<i>(OR)</i>		
(5) CNX Gas Company LLC 2481 John Nash Blvd Bluefield, WV 24701 <i>previously Harvey Linkous Perkins</i>	5.63 acres 1/2 of 11.26 acres	9.5911%
Dorothy Perkins 1595 Drybread Road Salysersville, KY 41465	5.63 acres 1/2 of 11.26 acres	9.5911%

Exhibit EE
 Unit AW113
 Docket #VGOB-01-0116-0857-01
 List of Owners/Claimants with Royalty Split Agreements/Court Orders/HB2058

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #1, 16.50 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Buckhorn Coal Company, Tract 8 (Corn & Fletcher 89.50 acre tract) P. O. Box 187 Tazewell, VA 24651	16.50 acres	28.1090%	
<u>OIL & GAS OWNERSHIP</u>			
(1) H.C. Bostic Coal Co., Inc. P.O. Box 220 Swords Creek, VA 24649	16.50 acres	28.1090%	59.4380% Court Order

*Prevailing plaintiff under Case No. CL16-316
 Determined to be fee owner, 100% of CBM
 Royalty due to owner.*

1602209

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, 11-15 2016. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 9:56 o'clock A M, after payment of \$ _____ tax imposed by Sec. 58.1-802.

Original returned this date to: Sally Ketum

TESTE: ANN S. McREYNOLDS, CLERK
 BY: Kathy Huff D. CLERK